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(Executive & Professional)

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Prepared

by

Directorate of Academics

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Executive Programme

COMPANY LAW

Module 1, Paper 2

S.No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the amendment
1.	Lesson 2 Share and Share Capital	<p>1. The Companies (Share Capital and Debentures) Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its Notification dated May 04, 2022 has notified the companies (Share Capital and Debentures) Amendment Rules, 2022 which shall come into force on the date of its publication in the Official Gazette. According to the amendment in the annexure, in Form No. SH-4 (Securities Transfer Form), before the enclosures, the following declaration shall be inserted, namely:-</p> <ul style="list-style-type: none"> • Transferee is not required to obtain the Government approval under the Foreign Exchange management (Non-debt Instruments) Rules, 2019 prior to transfer of shares; or • Transferee is required to obtain the Government approval under the Foreign Exchange management (Non-debt Instruments) rules, 2019 prior to transfer of shares and the same has been obtained and is enclosed herewith.” <p>Impact:</p> <p>According to this amendment a declaration has to be made by the transferee prior to share transfers in Form No. SH-4 regarding whether he/she is required to obtain Government approval under the Foreign Exchange Management (Non-</p>	<p>1. https://www.mca.gov.in/bin/dms/getdocument?mds=z0TPPBoxhsbnobHAN7dyxw%253D%253D&type=open</p> <p>2. https://egazette.nic.in/WriteReadData/2022/235565.pdf</p>

		<p>debt Instruments) Rules, 2019. Earlier no such declaration was required to be made by the transferee.</p> <p>2. The Companies (Prospectus and Allotment of Securities) Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its Notification dated May 05, 2022 has notified the Companies (Prospectus and Allotment of Securities) Amendment Rules, 2022 which shall come into force on the date of its publication in the Official Gazette. The amendments inter alia provide that-</p> <p>i) Insertion of new proviso to Rule 14 of the Companies (Prospectus and Allotment of Securities) Rules, 2014 stating that no offer or invitation of any securities under rule 14 shall be made to a body corporate incorporated in, or a national of, a country which shares a land border with India, unless such body corporate or the national, as the case may be, have obtained Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 and attached the same with the private placement offer cum application letter.</p> <p>ii) in Annexure, in Form PAS-4, in Part-B, after serial number (vii), the following shall be inserted, namely :-</p> <p>“(viii) Tick whichever is applicable:-</p> <p>(a) The applicant is not required to obtain Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 prior to subscription of shares.- <input type="checkbox"/></p> <p>(b) The applicant is required to obtain Government approval under the</p>	
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		<p>Foreign Exchange Management (Non-debt Instruments) Rules, 2019 prior to subscription of shares and the same has been obtained, and is enclosed herewith.- <input type="checkbox"/></p> <p>Impact:</p> <p>Through this amendment the MCA has inserted a new proviso in rule 14 of Companies (Prospectus and Allotment of Securities) Rules, 2014 stating that no offer or invitation to securities shall be made to the nationals of or entities incorporated in a country sharing border with India until and unless they have obtained Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 and attached the same with the private placement offer cum application letter and the relevant modification to be made in Form PAS-4.</p>	
2.	<p>Lesson 8</p> <p>Accounts, Audit and Auditors</p>	<p>The Companies (Accounts) Third Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated May 31, 2022 has notified the Companies (Accounts) Third Amendment Rules, 2022, which shall come into force on the date of its publication in the Official Gazette. According to the amendment under rule 12 of the Companies (Accounts) Rules, 2014 below changes are mentioned:</p> <ul style="list-style-type: none"> • For financial year (2020-2021), Form CSR-2 shall be filed separately on or before 30 June 2022 after filing Form AOC-4 or AOC-4 XBRL or AOC-4 NBFC (Ind AS), as the case may be. • For the financial year (2021-2022), Form CSR-2 shall be filed separately on or before 31st 	<p>https://egazette.nic.in/WriteReadData/2022/236165.pdf</p>

		March, 2023 after filing Form AOC-4 or AOC-4 XBRL or AOC-4 NBFC (Ind AS), as the case may be".	
3.	<p>Lesson 11 Registers and Records</p> <p>Lesson 2 Share and Share Capital</p>	<p>Simplification of procedure and standardization of formats of documents for issuance of duplicate securities certificates</p> <p>With a view to make issuance of duplicate securities more efficient and investor friendly, SEBI has simplified the procedure and documentation requirements for issuance of duplicate securities. With regard to documents required to be submitted by a security holder while requesting for issuance of duplicate securities certificates, a copy of the FIR, including e-FIR, necessarily having details of the securities, folio number, distinctive number range and certificate numbers will be required. In addition, issuance of advertisement regarding loss of securities in a widely circulated newspaper and submission of Affidavit and Indemnity bond in a prescribed format will also be required. Further provided that duplicate securities shall be issued in dematerialized mode only as mandated vide SEBI Circular dated January 25, 2022.</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/simplification-of-procedure-and-standardization-of-formats-of-documents-for-issuance-of-duplicate-securities-certificates_59173.html</p>
4.	<p>Lesson 12 An overview of Corporate Reorganisation</p>	<p>The Companies (Compromises, Arrangements and Amalgamations) Amendment Rules, 2022</p> <p>In exercise of the powers conferred by sub-sections (1) and (2) of section 469 read with sections 230 to 240 of the Companies Act, 2013, the Central Government inter alia amended the Rule 25A of the Companies (Compromises, Arrangements and</p>	<p>https://egazette.nic.in/WriteReadData/2022/236112.pdf</p>

		Amalgamations) Rules, 2016. According to the Amendment, in case of a compromise or an arrangement or merger or demerger between an Indian company and a company or body corporate which has been incorporated in a country which shares land border with India, a declaration in Form No. CAA-16 shall be required at the stage of submission of application under section 230 of the Act.	
5.	Lesson 13	<p>The Companies (Incorporation) Second Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its Notification dated May 20, 2022 has notified the Companies (Incorporation) Second Amendment Rules, 2022 which shall come into force with effect from June 01, 2022. As per the amendment, Form No. INC-9 (Declaration by Subscribers and First Directors) has been substituted. The substituted Form <i>inter-alia</i> consist declaration in respect of compliance with Government approval under FEMA by inserting checkboxes;</p> <ul style="list-style-type: none"> • I am required to obtain the Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 prior to subscription of shares and the same has been obtained, and is enclosed herewith. or • I am not required to obtain the Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 prior to subscription of shares. <p>Further, the Ministry has inserted</p>	<p>https://www.mca.gov.in/bin/dms/getdocument?mds=QJAZ8U7iIBs%252FRWVx91HwmQ%253D%253D&type=open</p>

		<p>new declaration in Form No. INC 32 (SPICe+), in part B, in declaration, the following shall be inserted at the end, namely:</p> <p>“I, on behalf of proposed directors, hereby declare that person seeking appointment is a national of a country which shares a land border with India, necessary security clearance from Ministry of Home Affairs, Government of India shall be attached with the consent.</p> <p><input type="radio"/> Yes <input type="radio"/> No. (if yes is opted, a copy of the security clearance is to be attached).”</p>									
6.	<p>Lesson 21 Legal Framework Governing Company Secretaries</p>	<p>The Chartered Accountants, the Cost Accountants and the Company Secretaries (Amendment) Act, 2022</p> <p>In exercise of the powers conferred by section 1(2) of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Act, 2022, the Central Government appointed the May 10, 2022, as the date on which the following provisions of the said Act shall come into force, namely:</p> <table border="1" data-bbox="537 1331 1062 1892"> <thead> <tr> <th>Provisions</th> </tr> </thead> <tbody> <tr> <td>Sections 1 to 15 (both inclusive)</td> </tr> <tr> <td>Section 16 [except clause (i)]</td> </tr> <tr> <td>Sections 17 to 19 (both inclusive)</td> </tr> <tr> <td>Section 24</td> </tr> <tr> <td>Sections 28 to 35 (both inclusive)</td> </tr> <tr> <td>Section 36 [except clause (i)]</td> </tr> <tr> <td>Section 37 [except clause (i) & (ii)]</td> </tr> </tbody> </table>	Provisions	Sections 1 to 15 (both inclusive)	Section 16 [except clause (i)]	Sections 17 to 19 (both inclusive)	Section 24	Sections 28 to 35 (both inclusive)	Section 36 [except clause (i)]	Section 37 [except clause (i) & (ii)]	<p>https://egazette.nic.in/WriteReadData/2022/235713.pdf</p>
Provisions											
Sections 1 to 15 (both inclusive)											
Section 16 [except clause (i)]											
Sections 17 to 19 (both inclusive)											
Section 24											
Sections 28 to 35 (both inclusive)											
Section 36 [except clause (i)]											
Section 37 [except clause (i) & (ii)]											

		<p>Sections 38 to 50 (both inclusive)</p> <p>Section 51 [except clause (i)]</p> <p>Sections 52 to 54 (both inclusive)</p> <p>Sections 59</p> <p>Sections 63 to 71 (both inclusive)</p> <p>Sections 74 to 83 (both inclusive)</p> <p>Section 84 [except clause (i)]</p> <p>Sections 85 to 87 (both inclusive)</p> <p>Sections 92, Section 96 to 104 (both inclusive)</p> <p>Major Changes/Impact:</p> <ul style="list-style-type: none"> • A new section 9A is inserted which states about constitution of Coordination Committee consisting of the President, Vice-President and the Secretary of the Council of each of the Institutes for the development and harmonization of all the three professions. The meeting shall be chaired by the Secretary, MCA which will be held once in every quarter of a year. • A new section 15B has been introduced to include the functions of the Institute. 	
7	Lesson 16 Directors	<p>1. The Companies (Appointment and Qualification of Directors) Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated June 01, 2022 has notified the Companies (Appointment and Qualification of Directors) Amendment Rules, 2022</p>	<p>1. https://www.mca.gov.in/bin/dms/getdocument?mds=U4Pl6Cz4l3T9YHrD1Z0q2g%253D%253D&type=open</p> <p>2. https://egazette.nic.in</p>

	<p>which shall come into force on the date of its publication in the Official Gazette. The amendments <i>inter-alia</i> provide that:</p> <p>i) In case the person seeking appointment is a national of a country which shares land border with India, necessary security clearance from the Ministry of Home Affairs shall also be attached along with the consent (Form DIR-2).(Insertion of proviso to Rule 8)</p> <p>ii) No application number shall be generated in case of the person applying for Director Identification Number (DIN) is a national of a country which shares land border with India, unless necessary security clearance from Ministry of Home Affairs has been attached along with application for DIN (Form DIR-3).{Insertion of proviso to Rule 10(1)}</p> <p>iii) In form DIR-12 a declaration is inserted to be opted by person seeking appointment as director as to whether the national of a country which shares land border with India has sought necessary security clearance from Ministry of Home Affairs or not.</p> <p>Impact:</p> <p>Through this amendment, MCA has introduced changes in its various forms relating to appointment of directors by aligning the forms with the Foreign Exchange Management (Non-Debt Instruments) Rules, 2019. As per the changes made, if the person seeking appointment is a national of a country which shares land border with India, necessary security clearance from the Ministry</p>	<p>/WriteReadData/2022/236474.pdf</p>
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		<p>of Home Affairs shall also be attached along with the consent.</p> <p>Similarly, no application number shall be generated in case of the person applying for Director Identification Number (DIN) is a national of a country which shares land border with India, unless necessary security clearance from Ministry of Home Affairs has been attached along with application for DIN (Form DIR-3).</p> <p>In form DIR-12, a declaration is inserted which needs to be opted by person seeking appointment as director as to whether the national of a country which shares land border with India has sought necessary security clearance from Ministry of Home Affairs or not.</p> <p>2. The Companies (Appointment and Qualification of Directors) Second Amendment, Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated June 10, 2022 has notified “The Companies (Appointment and Qualification of Directors) Second Amendment, Rules, 2022” which shall come into force on the date of its publication in the Official Gazette. According to the amendment sub-rule 5 is inserted under rule 6 of the Companies (Appointment and Qualification of Directors) Rules, 2014, which is specifying, any individual whose name has been removed from the databank under sub-rule (4), may apply for restoration of his name on payment of fees of Rs. 1000 and the IICA shall allow such restoration subject to the following conditions, namely:</p>	
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		<ul style="list-style-type: none"> his name shall be shown in a separate restored category for a period of one year from the date of restoration within which, he shall be required to pass the online proficiency self-assessment test and thereafter his name shall be included in the databank, only, if he passes the said online proficiency self-assessment test and in such case, the fees paid by him at the time of initial registration shall continue to be valid for the period for which the same was initially paid; and <p>in case he fails to pass the online proficiency self-assessment test within one year from then date of restoration, his name shall be removed from the data bank and he shall be required to apply afresh under sub-rule (1) for inclusion of his name in the databank.</p>	
8	Lesson 8 Accounts, Audit and Auditors	<p>The NFRA Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated 17th March, 2022 has notified “The National Financial Reporting Authority (NFRA) Amendment Rules, 2022” which shall come into force on the date of its publication in the Official Gazette. The amendment substituted rule 13 (Punishment in case of non-compliance) of the NFRA Rules, 2018 by stating that, whoever contravenes any of the provisions of these rules, shall be punishable with fine not exceeding Rs. 5,000, and where the contravention is continuing one, with a further fine not exceeding Rs. 500 for every day after the first during which the contravention continues.</p>	https://www.mca.gov.in/bin/dms/getdocument?mds=ALYJ%252BRnuB%252BCYMY4Lv02JA%253D%253D&type=open

		Earlier to this amendment the contravention under aforesaid rules was punishable as per section 450 (punishment where no specific penalty or punishment is provided) of the Companies Act, 2013.	
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TAX LAWS

Module 1, Paper 4

S. No.	Reference to Chapter No.	Amendments to Regulations/Rules/Act/Circular/Notification	Brief particulars/Link of the amendment
Direct Taxes (Part I)			
1.	Lesson 3 Income which do not form a part of Total Income	<p>Income Tax (Thirteenth Amendment) Rules, 2022 [Notification No. 50 Dated May 6, 2022]</p> <p>The Central Board of Direct Taxes notified Income Tax (Thirteenth Amendment) Rules, 2022. The amendment lay down the formula for computing infrastructure investments of sovereign wealth funds (SWFs) and pension funds that are eligible for income tax incentives, and the scheme of computation of tax-exempt income attributable to these investments. Rule 2DCA has been inserted to this effect.</p> <p>Further, the Rules also state that, for the purpose of valuation, Section 10 of the Income Tax Act, 1961 identifies incomes that are exempted from such valuation. Where any income is not included in the specified person's (Section 10(23FE) income, and where after any previous year if a person fails to meet any of the listed provisions for the valuation of that income that has to be excluded, it will be taxed as personal income. The Rules also place the following responsibilities on The Principal Director General of Income-tax (Systems) or the Director-General of Income-tax (Systems) to:</p> <ol style="list-style-type: none"> i. Specify the procedure, formats and standards for ensuring secure capture and transmission of the data in Form No. 10BBD. ii. Specify the procedure, format, data structure, standards and manner of generation of electronic verification code, referred to in sub-rule (9), for verification of the person furnishing the 	https://incometaxindia.gov.in/communications/notification/notification-no-50-2022.pdf

		<p>said Form.</p> <p>iii. Be responsible for evolving and implementing appropriate security, archival and retrieval policies in relation to the Form No 10BBD so furnished.</p> <p>The following modifications have also been introduced vide amendments to Rule 3:</p> <ol style="list-style-type: none"> 1. Intimation Form (10BBB) has been substituted by the Pension Fund of investment under Section 10(23FE). 2. Form 10BBC- Certificate of accountant in respect of compliance to the provisions is substituted by the notified Pension Fund. 3. New Form 10BBD- Statement of eligible investment received has been inserted. 	
2.	<p>Lesson 3</p> <p>Income which do not form a part of Total Income</p>	<p>Guidelines under clause (23FE) of section 10 of the Income-tax Act, 1961 [Circular No. 9 Dated May 9, 2022]</p> <p>The Ministry of Finance (MoF) has issued the Guidelines under clause (23FE) of section 10 of the Income-tax Act, 1961 to provide for exemption to wholly owned subsidiaries of Abu Dhabi Investment Authority (ADIA), sovereign wealth funds (SWF) and pension funds (PF) on their income in the nature of dividend, interest and long-term capital gains arising from investment made in infrastructure in India, during the period beginning with April 01, 2020 and ending on March 31, 2024 subject to fulfilment of certain conditions.</p> <p>Certain Provisions of the Finance Act has been amended to incentivise infrastructure investments by specified persons in India.</p> <p>The guidelines are provided under the following headings:</p> <ul style="list-style-type: none"> • Transfer of investment within 3 years by the specified person or AIF/ domestic Company/NBFC • Eligible infrastructure entity carrying on 	<p>https://incometaxindia.gov.in/communications/circular/circular-9-2022.pdf</p>

		<p>other businesses as well</p> <ul style="list-style-type: none"> • Violation of 50 %, 75 % or 90 % condition as per item (c), (d) or (e) of sub-clause (iii) of clause (23FE) of section 10 of the Act • Violation of one or more conditions in clause (23FE) of section 10 of the Act or rules thereunder or under the notification exempting the specified person under the said clause. • Computation of the capital gains arising to the specified person on account of the transfer of their holding in domestic company or non-banking finance company • Secondary investment in infrastructure companies • Tax audit • Quarterly statement of investments 	
3.	<p>Lesson 9 Procedural Compliances</p>	<p>Income Tax (Fifteenth Amendment) Rules, 2022 [Notification No. 53 Dated May 10, 2022]</p> <p>The Central Board of Direct Taxes has issued the Income-tax (Fifteenth Amendment) Rules, 2022 which provides that Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems) shall lay down the formats and standards along with procedure for authentication of permanent account number or Aadhaar number.</p> <p>The amendment clarifies that permanent account number or Aadhaar number alongwith demographic information or biometric information of an individual shall be submitted to the Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems) or the person authorised by the Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems) with the approval of the Board, for the purposes of authentication of PAN or Aadhar Number.</p>	<p>https://incometaxindia.gov.in/communications/notification/notification-no-53-2022.pdf</p>

4.	Lesson 9 Procedural Compliances	<p>Circular regarding use of functionality under section 206AB and 206CCA of the Income-tax Act, 1961 [Circular No. 10 Dated May 17, 2022]</p> <p>CBDT issued a Circular to modify the earlier Circular No. 11/2021 dated 21.06.2021 subsequent to amendments made in section 206AB (for TDS) and section 206CCA (for TCS) of the Income-tax Act, 1961 ('Act') by the Finance Act, 2022.</p> <p>This circular is issued to clarify the implementation of the provisions of section 206AB and section 206CCA of the Act and to ease the compliance burden of the deductors in applying these provisions.</p> <p>Highlights of the Circular</p> <ul style="list-style-type: none"> • The deductor/collector shall check the status of the deductee at the beginning of each year. • The deductee who is marked as 'filer' shall remain a filer for the whole financial year even after the expiry of the due date of furnishing the return of income for the latest assessment year. • The status of the deductees who are marked as non-filers are subject to change and the deductor may recheck their status in the subsequent deduction. • In the case of a non-resident who does not have any PE in India is outside the purview of the provisions of section 206AB and section 206CCA. However, the online utility does not distinguish between a non-resident who has a PE or does not have a PE in India, hence, deductors needs to carry out the due diligence manually in respect of non-residents having PE in India and deduct the tax accordingly. • Deductor/collectors are not required to collect any evidence from the deductee for applying the provisions of section 206AB/206CCA. Compliance as per the 	https://incometaxindia.gov.in/communications/circular/circular-no-10-2022.pdf
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		<p>information provided by the online tool is sufficient.</p> <ul style="list-style-type: none"> Section 206AB shall not apply to TDS under section 194S-TDS on transfer of Virtual Digital Assets. 	
5.	<p>Lesson 10 Assessment, Appeals and Revision</p>	<p>CBDT notified amendment in Faceless penalty scheme, allowing mandatory personal hearing [Notification No. 54 Dated May 27, 2022]</p> <p>The Central Board of Direct Taxes (CBDT) has notified the amendment in the faceless penalty scheme, allowing mandatory personal hearing through electronic mode to any taxpayer who has sought a hearing. The amendment has omitted the Regional Faceless Penalty Centre from the Faceless Penalty Scheme and provides that electronic records shall be authenticated by the National Faceless Penalty Centre and even hearing should be done via them and not regional faceless penalty centre.</p> <p>The Faceless Penalty (Amendment) Scheme, 2022, notified says that such hearing will be held exclusively through video conferencing or video telephony, including use of any telecommunication application software which supports video conferencing or video telephony.</p>	<p>https://egazette.nic.in/WriteReadData/2022/236054.pdf</p>
6.	<p>Lesson 10 Assessment, Appeals and Revision</p>	<p>Notification No. 56 Dated May 28, 2022</p> <p>The Central Board of Direct Taxes hereby authorises the Assistant Commissioner of Income Tax / Deputy Commissioner of Income Tax (International Taxation), Circle -1(1)(1), Delhi to act as the ' Prescribed Income-tax Authority' for the purpose of issuance of notice under subsection (2) of section 143 of the Act.</p>	<p>https://incometaxindia.gov.in/communications/notification/notification-56-2022.pdf</p>
7.	<p>Lesson 10 Assessment, Appeals and Revision</p>	<p>Income Tax (Sixteenth Amendment) Rules, 2022 [Notification No. 57 Dated May 31, 2022]</p> <p>The Central Board of Direct Taxes vide notification dated 31st May, 2022 has issued the Income-tax (Sixteenth Amendment) Rules,</p>	<p>https://incometaxindia.gov.in/communications/notification/notification-57-2022.pdf</p>

		2022. The amendment provides that the form and manner of filing appeal to the High Court against a ruling pronounced or order passed by the Board for Advance Rulings by the assessee, or the Assessing Officer on the directions of the Principal Commissioner or Commissioner, shall be the same as provided in the applicable procedure laid down by the jurisdictional High Court for filing an appeal to the High Court.	
8.	Lesson 3 Income which do not form a part of Total Income	Notification No. 58 Dated May 31, 2022 The Central Government notifies, for the purposes of the clause (46) of section 10 of the Income-tax Act, 1961, 'National Biodiversity Authority' (PAN AAALN0331K), an Authority established under the Biological Diversity Act, 2002, in respect of the certain specified income arising to that Authority.	https://incometaxindia.gov.in/communications/notification/notification-58-2022.pdf
9.	Lesson 7 Computation of Total Income & Tax Liability of various entities	Clarification regarding Form No 10AC issued till the date of this Circular [Circular 11 Date June 3, 2022] The Finance Act, 2022 has inserted amended provisions of the Income-tax Act allowing the Principal Commissioner or Commissioner of Income-tax to examine if there is any 'specified violation' by the trust or institution registered or provisionally registered. After examination, an order is required to be passed for either cancellation of the registration or refusal to cancel the registration. In view of the amendments made vide Finance Act, 2022, the conditions subject to which the registration /approval or provisional registration / provisional approval was granted to trusts and institutions need to be revised to align the same with the amendments made by Finance Act, 2022. Thus, the Central Board of Direct Taxes (CBDT) has issued a circular clarifying that: Conditions for grant of registration under sections 12AB, 10(23C), and 80G: The Board has listed down the revised conditions that should be followed by the trust or institution	https://incometaxindia.gov.in/communications/circular/circular_11_2022.pdf

		<p>seeking:</p> <ol style="list-style-type: none"> a) Re-registration and provisional registration under section 12AB, b) Re-approval and provisional approval under section 10(23C), and c) Re-approval and provisional approval under section 80G <p>The conditions contained in Form No. 10AC, issued between 01.04.2021 till the date of issuance of Circular, i.e., 03-06-2022, shall be read as if the said conditions had been substituted with the conditions as provided by the board with effect from 1st April 2022.</p> <p>Provisional registration / approval to be deemed as registration/approval: The Board has clarified that if due to technical glitches, Form No. 10AC has been issued during FY 2021-2022 with the heading “Order for provisional registration” or “Order for provisional approval” instead of “Order for registration” or “Order for approval”, then all such Form No. 10AC shall be considered as an “Order for registration or approval”.</p>	
10.	Lesson 9 Procedural Compliances	<p>Compliance Check Functionality for Section 206AB & 206CCA of Income-tax Act 1961 [Notification No. 1 Dated June 9, 2022]</p> <p>Section 206AB and 206CCA of the Income-tax Act, 1961 “the Act” (effective from 1st July 2021 and amended via Finance Act, 2022), imposed higher TDS / TCS rate on the “Specified Person”.</p> <p>To facilitate Tax Deductors and Collectors in identification of Specified Persons as defined in sections 206AB and 206CCA, the Central Board of Direct Taxes (“CBDT”) directing that Director General of Income-tax (Systems), New Delhi shall be the specified income-tax authority for furnishing information to the Tax Deductor / Tax Collector”, having registered in the reporting portal of the Project Insight through valid TAN, to identify the ‘Specified Persons’ for the purposes of section 206AB and 206CCA of the Act through the functionality “Compliance</p>	https://incometaxindia.gov.in/communications/notification/notification-no-01-of-2022.pdf

		<p>Check for Section 206AB& 206CCA”.</p> <p>Income Tax Department has released functionality Compliance Check for Section 206AB & 206CCA to facilitate tax deductors /collectors to verify if a person is a “Specified Person as per section 206AB & 206CCA.</p> <p>This functionality is made available through (https://report.insight.gov.in) of Income-tax Department. Kindly refer to CBDT Circular No. 11 of 2021 dated 21.06.2021 and CSOT Circular No. 10 of 2022 dated 17.05.2022 regarding use of functionality under section 206AB and 206CCA of the Income-tax Act, 1961.</p>					
11.	<p>Lesson 4</p> <p>Part IV</p> <p>Capital Gains</p>	<p>Cost Inflation Index FY 2022-23 [Notification No. 62 Dated June 14, 2022]</p> <table border="1"> <thead> <tr> <th>Financial Year</th> <th>Cost Inflation Index</th> </tr> </thead> <tbody> <tr> <td>2022-23</td> <td>331</td> </tr> </tbody> </table>	Financial Year	Cost Inflation Index	2022-23	331	<p>https://incometaxindia.gov.in/communications/notification/notification-62-2022.pdf</p>
Financial Year	Cost Inflation Index						
2022-23	331						
12.	<p>Lesson 4</p> <p>Part IV</p> <p>Capital Gains</p>	<p>Notification No. 63 [Dated June 15, 2022]</p> <p>The Central Government notifies the transfer of capital asset from NTPC Limited (PAN: AAACN0255D), being transferor public sector company, to NTPC Green Energy Limited (PAN: AAICN1737G), being transferee public sector company, under the plan approved by the Central Government on 21st day of March, 2022, for the purposes of the clause (viiaf) of section 47 of the Income tax Act, 1961.</p>	<p>https://incometaxindia.gov.in/communications/notification/notification-63-2022.pdf</p>				
13.	<p>Lesson 9</p> <p>Procedural Compliances</p>	<p>Guidelines for removal of difficulties under sub-section (2) of section 194R of the Income tax Act, 1961 [Circular 12 Date June 16, 2022]</p> <p>The Finance Act, 2022 inserted a new section 194R for TDS on benefit or perquisite arising from business or profession w.e.f. 01/07/2022.</p> <p>The new section mandates a person, who is responsible for providing any benefit or perquisite to deduct tax at source @10% of the value of aggregate of value of such benefit or</p>	<p>https://incometaxindia.gov.in/communications/circular/circular-no-12-2022.pdf</p>				

		<p>perquisite. The benefit or perquisite may or may not be convertible into money but should arise either for carrying out of business, or from exercising a profession, by such resident.</p> <p>Since there were several ambiguities in regard to the applicability of section 194R, CBDT has issued guidelines vide Circular No. 12/2022 dated 16 June 2022 in the form of Frequently Asked Questions ('FAQs') to remove such ambiguities and the difficulties. The FAQs provide clarification to ten questions identified by CBDT as vital while implementing the provisions of section 194R of the Act.</p>	
14.	<p>Lesson 3</p> <p>Income which do not form a part of Total Income</p>	<p>Income tax 17th Amendment Rules 2022 [Notification No. 64 Dated June 16, 2022]</p> <p>The CBDT has notified Income tax 17th Amendment Rules 2022 as per which, in Rule 21AI, which specifies Computation of exempt income of the restricted fund for clause (4D) of section 10, sub-rule 2A has been inserted, namely:</p> <p><i>"The income attributable to units held by non-resident (not being the permanent establishment of a nonresident in India) in a specified fund shall not be exempt under clause (4D) of section 10 of the Act unless the specified fund complies with sub-rule (2)."</i></p> <p>Rule 21AI states that the specified fund shall furnish an annual statement of exempt income in Form No. 10IG electronically under the digital signature on or before the due date for the computation of exempt income of the specified fund for the purposes of clause (4D) of section 10.</p> <p>As per the Income-tax (Seventeenth Amendment), Rules, 2022, the income attributable to units held by non-residents in a specified fund shall be exempt under section 10 (4D) only on the submission of Form No. 10IG.</p>	<p>https://incometaxindia.gov.in/communications/notification/notification-64-2022.pdf</p>
15.	<p>Lesson 9</p>	<p>Notification No. 65 [Dated June 16, 2022]</p> <p>The Central Government specifies that no</p>	<p>https://incometaxindia.gov.in/communications/notification/noti</p>

	Procedural Compliances	deduction of tax shall be made under section 194-I of the Income-tax Act on payment in the nature of lease rent or supplemental lease rent, as the case may be, made by a person (hereafter referred as 'lessee') to a person being a Unit located in International Financial Services Center (hereinafter the 'lessor') for lease of an aircraft subject to the fulfillment of certain condition.	fication-65-2022.pdf
16.	Lesson 9 Procedural Compliances	Income tax 19th Amendment Rules 2022 [Notification No. 67 Dated June 21, 2022] The CBDT has notified Income tax 19th Amendment Rules 2022 to incorporate changes introduced by the Finance Act, 2022 related to TDS. With this amendment, CBDT notified furnishing of challan-cum-statement in Form No. 26QE and TDS certificates in Form No. 16E in case of TDS on Virtual Digital Assets (VDA) or crypto-currency under section 194S of the Income-tax Act, 1961.	https://incometaxindia.gov.in/communications/notification/notification-67-2022.pdf
17.	Lesson 9 Procedural Compliances	Guidelines for removal of difficulties under sub-section (6) of section 194S of the Income-tax Act, 1961 [Circular 13 Date June 22, 2022] The Finance Act 2022 inserted a new section 194S in the Income-tax Act, 1961 to provide for deduction of tax by any person who is responsible for paying consideration to a resident person in respect of the transfer of virtual digital assets (VDAs). It is to be noted that the liability to deduct under section 194S is of a person who is responsible for paying the consideration for the transfer of VDA (i.e., the payer) and not of the person who is buying the VDA (i.e., the buyer). Thus, the payer and buyer of VDA may be a different person. This generally happens when the VDAs are transferred through an Exchange or Broker. Where VDAs are transferred through an Exchange, the buyer would be crediting or making payment to the Exchange (either	https://incometaxindia.gov.in/communications/circular/circular-no-13-2022.pdf

		<p>directly or through a broker). The Exchange then would be required to credit or make payment to the owner of VDA (either directly or through a broker). Since there can be multiple players involved in a transaction taking place through an Exchange, there is a possibility of tax deduction requirement under section 194S at multiple stages, and, accordingly, there would be a compliance burden on multiple parties involved in such transaction.</p> <p>To remove the difficulties that may arise while deducting tax at source under section 194S, where VDAs are transferred on or through an exchange, the CBDT has issued certain guidelines in the exercise of the power conferred by sub-section (6) of section 194S, which shall be binding on the income-tax authorities as well as the person responsible for paying the consideration for transfer of VDA.</p> <p>To answer 'who will be liable to deduct tax under section 194S where VDA is transferred on or through an exchange?' the CBDT has clarified the same under the following situations:</p> <ul style="list-style-type: none"> • Where VDA is transferred through an exchange without the involvement of a broker • Where VDA is transferred through an exchange with the involvement of a broker • Where VDA being transferred is owned by the Exchange • Where VDA being transferred is owned by the Exchange and same is bought through a broker • Where under aforesaid situations, the consideration for transfer of VDA is in kind or in Exchange for another VDA 	
18.	<p>Lesson 3</p> <p>Income which do not form a part of Total</p>	<p>Notification No. 69 [Dated June 27, 2022]</p> <p>The Central Government specifies the sovereign wealth fund, namely, Seventy Second Investment Company LLC (PAN: ABICS2676N), (hereinafter referred to as "the assessee") as</p>	<p>https://incometaxindia.gov.in/communications/notification/notification-no-69-2022.pdf</p>

	Income	the specified person for the purposes of sub-clause (vi) of clause (b) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, 1961 in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31 st day of March, 2024 (hereinafter referred to as “said investments”) subject to the fulfillment of the certain conditions.	
19.	Lesson 9 Procedural Compliances	<p>Order under section 119 of the Income-tax Act, 1961 (the Act) in relation to tax deduction at source under section 194S of the Act for transactions other than those taking place on or through an Exchange</p> <p>Finance Act, 2022 inserted a new section 194S in the Act with effect from 1st July 2022. The new section mandates a person, who is responsible for paying to any resident any sum by way of consideration for transfer of a virtual digital asset (VDA), to deduct an amount equal to 1% of such sum as income tax thereon. The tax deduction is required to be made at the time of credit of such sum to the account of the resident or at the time of payment, whichever is earlier.</p> <p>Sub-section (6) of section 194S of the Act authorises Central Board of Direct Taxes (CBDT) to issue guidelines, for removal of difficulties, with the approval of the Central Government. Accordingly, CBDT has issued guidelines in the form of Circular No. 13 of 2022 dated 22.06.2022 for transactions conducted on or through an Exchange. For all other transactions only the clarification provided in answer to question no 6 of that circular is applicable.</p> <p>The term “Exchange” has been defined to mean any person that operates an application or platform for transferring of VDAs, which matches buy and sell trades and executes the same on its application or platform. Same definition applies to this circular. For all other transactions (not covered by circular no</p>	https://incometaxindia.gov.in/communications/circular/circular-14-2022.pdf

		13/2022), this circular is being issued under section 119 for proper administration of the Act.	
20.	Lesson 9 Procedural Compliances	<p>Income Tax 20th Amendment Rules 2022 [Notification No. 73 Dated June 30, 2022]</p> <p>The Central Board of Direct Taxes notifies the Income-tax (20th Amendment) Rules, 2022 as per which</p> <ol style="list-style-type: none"> i. in rule 31A, after sub-rule (1), the following proviso shall be inserted: <p>“Provided that where the exchange has, in accordance with the guidelines issued under sub-section (6) of section 194S, agreed to pay tax in relation to a transaction of transfer of a virtual digital asset, owned by it as an alternative to tax required to be deducted by the buyer of such asset under section 194S, the Exchange shall deliver or cause to be delivered, a quarterly statement of such transactions in Form No. 26QF to the Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems) or the person 24authorized by the Principal Director General of Income-tax (Systems) or the Director General of Income-tax (Systems).</p> ii. after sub-rule (4D), the sub-rule 4(E) shall be inserted as follow: <p>(4E) The exchange shall, at the time of preparing of quarterly statement in Form No. 26QF, furnish particulars of account paid or credited on which tax was not deducted in accordance with guidelines issued under sub-section (6) of section 194S.”</p> 	https://egazette.nic.in/WriteReadData/2022/236915.pdf
21.	Lesson 4 Part IV	<p>Notification No. 74 [Dated June 30, 2022]</p> <p>The Central Government notifies following virtual digital assets which shall be excluded from the definition of virtual digital asset:</p>	https://incometaxindia.gov.in/communications/notification/notification-no-74-2022.pdf

	Capital Gains	<ul style="list-style-type: none"> i. Gift card or vouchers, being a record that may be used to obtain goods or services or a discount on goods or services; ii. Mileage points, reward points or loyalty card, being a record given without direct monetary consideration under an award, reward, benefit, loyalty, incentive, rebate or promotional program that may be used or redeemed only to obtain goods or services or a discount on goods or services; iii. Subscription to websites or platforms or application. 	
22.	Lesson 4 Part IV Capital Gains	Notification No. 75 [Dated June 30, 2022] The Central Government specifies a token which qualifies to be a virtual digital asset as non-fungible token within the meaning of sub-clause (a) of clause (47A) of section 2 of the Income tax Act, 1961 but shall not include a non-fungible token whose transfer results in transfer of ownership of underlying tangible asset and the transfer of ownership of such underlying tangible asset is legally enforceable.	https://incometaxindia.gov.in/communications/notification/notification-no-75-2022.pdf
Indirect Tax (Part II)			
1.	Lesson 16 Basic overview on IGST, UTGST, and GST Compensation to States	GST Compensation Cess has been extended upto 31st March 2026 (Notification No. 01/2022- Compensation Cess dated June 24, 2022) The government has extended the period during which the GST compensation cess may be levied till March 2026. The compensation cess will continue to be collected from July 1, 2022, to March 31, 2026, in accordance with the Goods and Services Tax (Period of Levy and Collection of Cess) Rules, 2022, which were announced by the finance ministry.	https://egazette.nic.in/WriteReadData/2022/236790.pdf

SECURITIES LAWS AND CAPITAL MARKETS

Module 2, Paper 6

S.No.	Reference to Chapter No.	Amendments to Regulations/Rules/Act/Circular/ Notification	Brief Particulars/Link of the Amendment
1.	<p>Lesson 5</p> <p>An Overview of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015</p>	<p>1. Disclosure of holding of specified securities and Holding of specified securities in dematerialized form (Circular No. SEBI/HO/CFD/PoD-1/P/ CIR / 2022/92 dated June 30, 2022)</p> <p>Background Regulation 31 of Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 (“Listing Regulations”), deals with the disclosure of shareholding pattern and manner of maintaining shareholding in dematerialized format. Accordingly, SEBI vide Circular dated November 30, 2015, prescribed formats for disclosure of holding of specified securities and shareholding pattern under Annexure-I to the Circular.</p> <p>Brief of the Circular In the interest of providing further clarity and transparency in the disclosure of shareholding pattern to the investors in the securities market, the Circular dated November 30, 2015, has been partially modified and provided that in the disclosure of public shareholding, names of the shareholders holding 1% or more than 1% of shares of the listed entity is to be disclosed. Names of the shareholders who are persons acting in concert, if available, shall be disclosed separately. Accordingly, the formats for Statement showing shareholding pattern of the Public shareholder and Statement showing shareholding pattern of the Non</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/disclosure-of-holding-of-specified-securities-and-holding-of-specified-securities-in-dematerialized-form_60459.html</p>

		<p>Promoter - Non Public shareholder have been modified.</p> <p>The revised formats are placed at Annexure A to this circular. It is also specified that all listed entities shall disclose details pertaining to foreign ownership limits in the format prescribed at Annexure B to this circular.</p>	
		<p>2. Simplification of procedure and standardization of formats of documents for issuance of duplicate securities certificates (Circular No. SEBI/HO/ MIRSD/ MIRSD_RTAMB / P/CIR/2022/70 dated May 25, 2022)</p> <p>With a view to make issuance of duplicate securities more efficient and investor friendly, SEBI has simplified the procedure and documentation requirements for issuance of duplicate securities.</p> <p>The requirements are as specified below:</p> <ol style="list-style-type: none"> 1. Submission by the security holder of copy of FIR including e-FIR/Police complaint/Court injunction order/copy of plaint, necessarily having details of the securities, folio number, distinctive number range and certificate numbers. 2. Issuance of advertisement regarding loss of securities in a widely circulated newspaper. However, there shall be no requirement to comply with above mentioned Para 1 and 2, if the value of securities as on the date of submission of application, along with complete documentation as prescribed by the SEBI does not exceed Rs.5 Lakhs. 3. Submission of Affidavit and Indemnity bond as per the format prescribed by the SEBI. 4. In case of non-availability of Certificate Nos./Distinctive Nos./ Folio nos., the RTA (upon written request by the security holder) shall provide the same, to the security holder only where the signature and the address of the security holder matches with 	<p>https://www.sebi.gov.in/legal/circulars/may-2022/simplification-of-procedure-and-standardization-of-formats-of-documents-for-issuance-of-duplicate-securities-certificates_59173.html</p>

		<p>the RTA / listed company's records. In case the signature and/or the address do not match, the security holder shall first comply with the KYC procedure and then only the details of the securities shall be provided to the security holder by the RTA/listed company.</p> <p>As mandated vide SEBI Circular dated January 25, 2022, duplicate securities shall be issued in dematerialized mode only.</p>	
		<p>3. Revised format of security cover certificate, monitoring and revision in timelines (SEBI/HO/MIRSD/MIRSD_CRADT/CIR/P/2022/67 dated May 19, 2022)</p> <p>In terms of regulation 54 read with regulation 56(1)(d) of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015, listed entities are required to disclose security cover to Stock Exchange and Debenture Trustee, and the format for preparation of security cover for listed debt securities was prescribed as per Annexure A of SEBI Circular dated November 12,2020. Based on the recommendation of the Working Group, the security cover format has been revised and the format prescribed as per Annexure A of SEBI Circular dated November 12,2020 stands rescinded. The revised format has been prepared to provide a holistic picture of all the borrowings and the status of encumbrance on the assets of the listed entity. The revised format for security cover is enclosed at Annexure I to this circular.</p> <p>Further, vide this circular, the obligations of listed entity and Debenture Trustee with respect to preparation and submission of security cover format have been prescribed.</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/revise-format-of-security-cover-certificate-monitoring-and-revision-in-timelines_59051.html</p>

	<p>4. Simplification of procedure and standardization of formats of documents for transmission of securities (Circular No. SEBI/HO/MIRSD/MIRSD_RTAMB/P/CIR/2022/65 dated May 18, 2022)</p> <p>As an on-going measure to enhance ease of dealing in securities markets and with a view to make the transmission process more efficient and investor friendly, the procedure for transmission of securities has been further simplified vide the SEBI (Listing Obligations and Disclosure Requirements) (Fourth Amendment) Regulations, 2022.</p> <p>The LODR Amendment Regulations has inter alia enhanced the monetary limits for simplified documentation for transmission of securities, allowed 'Legal Heirship Certificate or equivalent certificate' as one of the acceptable documents for transmission and provided clarification regarding acceptability of Will as one of the valid documents for transmission of securities.</p> <p>Pursuant to the notification of the LODR Amendment Regulations, this Circular is being issued to specify the formats of various documents which are required to be furnished for the processing of transmission of securities.</p> <p>Further, for ease of reference, a ready reckoner listing out the documents required for transmission of securities, in case of demise of the sole holder, is provided in Annexure - A to this Circular. The Operational Guidelines for processing investor's service request for the purpose of transmission of securities are provided in Annexure - B to this Circular.</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/simplification-of-procedure-and-standardization-of-formats-of-documents-for-transmission-of-securities-pursuant-to-amendments-to-the-securities-and-exchange-board-of-india-listing-obligations-and-dis-59123.html</p>
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<p>2.</p>	<p>Lesson 12 Mutual Funds</p>	<p>1. Nomination for Mutual Fund Unit Holders (Circular No. SEBI/HO/IMD/IMD-II DOF3/P/CIR/2022/82 dated June 15, 2022) SEBI vide this circular has provided in relation of nomination for eligible Mutual Fund Unit Holders: Investors subscribing to mutual fund units on or after August 1, 2022, shall have the choice of:</p> <ul style="list-style-type: none"> a. Providing nomination in the format specified in fourth schedule of SEBI (Mutual Funds) Regulations, 1996 (or) b. Opting out of nomination through a signed Declaration form as provided in Annexure - A to this circular. <p>AMC shall provide an option to the unit holder(s) to submit either the nomination form or the declaration form for opting out of nomination in physical or online as per the choice of the unit holder(s). In case of physical option, the forms shall carry the wet signature of all the unit holder(s) and in case of online option, the forms shall be using e-Sign facility recognized under Information Technology Act, 2000, instead of wet signature(s) of all the unit holder(s).</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/nomination-for-mutual-fund-unit-holders_59743.html</p>
		<p>2. Modification in Cyber Security and Cyber Resilience Framework of Mutual Funds/ Asset Management Companies (AMCs) (Circular No. SEBI/HO/IMD/IMD-I/DOF2/P/CIR/ 2022/81 dated June 9, 2022) SEBI vide Circular dated January 10, 2019 had prescribed framework for Cyber Security and Cyber Resilience for Mutual Funds / Asset Management Companies (AMCs). SEBI has modified the said circular dated January 10, 2019 and provided that Mutual Funds/ AMCs shall identify and classify critical assets based</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/circular-on-modification-in-cyber-security-and-cyber-resilience-framework-of-mutual-funds-asset-management-companies-amcs_59611.html</p>

		<p>on their sensitivity and criticality for business operations, services and data management. The critical assets shall include business critical systems, internet facing applications/ systems, systems that contain sensitive data, sensitive personal data, sensitive financial data, Personally Identifiable Information (PII) data, etc. All the ancillary systems used for accessing/ communicating with critical systems either for operations or maintenance shall also be classified as critical assets. The Board of the AMCs and Trustees shall approve the list of critical assets.</p> <p>To this end, Mutual Funds/ AMCs shall maintain up-to-date inventory of its hardware and systems, software and information assets (internal and external), details of its network resources, connections to its network and data flows.”</p> <p>Further, the Mutual Funds/ AMCs are mandated to conduct comprehensive cyber audit at least 2 times in a financial year. Along with the cyber audit reports, henceforth, all Mutual Funds/ AMCs are directed to submit a declaration from the Managing Director (MD)/ Chief Executive Officer (CEO) certifying compliance by the Mutual Funds/ AMCs with all SEBI Circulars and advisories related to cyber security from time to time.</p>	
3.	Lesson 13 Collective Investment Schemes	<p>SEBI (Collective Investment Schemes) (Amendment) Regulations, 2022 (May 10, 2022)</p> <p>SEBI has notified the SEBI (Collective Investment Schemes) (Amendment) Regulations, 2022, which shall come into force on the date of their publication in the Official Gazette.</p> <p>Vide this notification, the following amendments to the SEBI (Collective Investment Schemes) Regulations, 1999, have been made:</p> <p>1. In Regulation 2(e), the definition of “auditor” has been modified as-</p>	<p>https://www.sebi.gov.in/legal/regulations/may-2022/securities-and-exchange-board-of-india-collective-investment-schemes-amendment-regulations-2022_58854.html</p>

	<p>“auditor” means a firm, including a limited liability partnership, constituted under the Limited Liability Partnership Act, 2008, who is eligible and qualified to audit the accounts of a company under section 141 of the Companies Act, 2013.</p> <p>2. The definition of “designated employees” has been inserted: “designated employees” of the Collective Investment Management Company includes: (i) chief executive officer, chief investment officer, chief risk officer, chief information security officer, chief operation officer, fund manager, compliance officer, sales head, investor relation officer, heads of other departments and dealer of the Collective Investment Management Company; (ii) persons directly reporting to the chief executive officer (excluding personal assistant/ secretary); (iii) fund management team and research team; (iv) other employees as identified by Collective Investment Management Companies or trustees.</p> <p>3. In regulation 9 which specify Conditions for eligibility for registering as Collective Investment Management Company, clause (c) has been substituted with the following clause, namely,-</p> <p>“(c) the applicant or its promoters should have a sound track record and general reputation of fairness and integrity in all their business transactions.”</p> <p>4. Under the heading “Criteria for fit and proper person”, after regulation 9A, the following regulation 9B has been inserted, namely,- “9B (1) No Collective Investment Management Company or a promoter of a Collective Investment Management Company, their associates or group companies, through</p>	
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	<p>the schemes of the Collective Investment Management Company or otherwise, individually or collectively, directly or indirectly, have –</p> <p>(a) ten percent or more of the shareholding or voting rights in the Collective Investment Management Company or the trustee company of any other Collective Investment Management Company; or</p> <p>(b) representation on the board of the Collective Investment Management Company or the trustee company of any other Collective Investment Management Company.</p> <p>(2) Any shareholder holding ten percent or more of the shareholding or voting rights in the Collective Investment Management Company or the trustee company of a Collective Investment Management Company, shall not have, directly or indirectly,-</p> <p>(a) ten percent or more of the shareholding or voting rights in the Collective Investment Management Company or the trustee company of any other Collective Investment Management Company; or</p> <p>(b) representation on the board of the Collective Investment Management Company or the trustee company of any other Collective Investment Management Company:</p> <p>Provided that in the event of a merger, acquisition, scheme of arrangement or any other arrangement involving the promoters of the Collective Investment Management Company, shareholders of the Collective Investment Management Company or trustee companies, their associates or group companies which results in the incidental acquisition of shares, voting rights or representation on the board of the Collective Investment Management Company or trustee companies, this regulation shall be complied with within a period of one year of coming into force of such an arrangement.”</p> <p>5. In regulation 14, which specify the obligations of Collective Investment</p>	
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	<p>Management Company, the following clause has been inserted, namely,- “The Collective Investment Management Company and its designated employees shall invest such amounts in such schemes of the Collective Investment Management Company, as may be specified by the Board from time to time.”</p> <p>6. The following regulation 24(6) has been inserted, namely,- “Closure of subscription list Each collective investment scheme shall immediately after the closure of the subscription list comply with the following conditions, namely,- (a) minimum subscription amount of rupees twenty crore; (b) minimum twenty investors; and (c) no person shall hold more than twenty-five percent of the assets under management of scheme: Provided that where the collective investment scheme fails to comply with this subregulation, Collective Investment Management Company shall be liable to refund the application money to the applicants.”</p> <p>7. Regulation 30 dealing with Offer period has been substituted with the following, namely,- “Offer period No collective investment scheme shall be open for subscription for more than fifteen days: Provided that collective investment scheme may be kept open for subscription for a maximum of another fifteen days subject to issuance of public notice by the Collective Investment Management Company before the expiry of initial fifteen days.”</p>	
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4.	<p>Lesson 15 Structure of Capital Market</p>	<p>1. Modification in Cyber Security and Cyber resilience framework for Stock Brokers / Depository Participants (Circular No. SEBI/HO/MIRSD/TPD/P/CIR/2022/93 dated June 30, 2022)</p> <p>SEBI vide circular dated 03 December 2018 had prescribed framework for Cyber Security and Cyber Resilience for Stock Brokers / Depository Participants. SEBI has modified the said circular dated 03 December 2018 and provided that all Cyber-attacks, threats, cyber-incidents and breaches experienced by Stock Brokers / Depositories Participants shall be reported to Stock Exchanges / Depositories & SEBI within 6 hours of noticing / detecting such incidents or being brought to notice about such incidents. This information shall be shared to SEBI through the dedicated e-mail id: sbdp-cyberincidents@sebi.gov.in.</p> <p>Further provided that, the quarterly reports containing information on cyber-attacks, threats, cyber-incidents and breaches experienced by Stock Brokers / Depository Participants and measures taken to mitigate vulnerabilities, threats and attacks including information on bugs / vulnerabilities, threats that may be useful for other Stock Brokers / Depository Participants / Exchanges / Depositories and SEBI, shall be submitted to Stock Exchanges / Depositories within 15 days from the quarter ended June, September, December and March of every year.</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/modification-in-cyber-security-and-cyber-resilience-framework-for-stock-brokers-depository-participants_60453.html</p>
		<p>2. Introduction of Unified Payments Interface (UPI) mechanism for Infrastructure Investment Trusts (Circular No. SEBI/HO/DDHS/DDHS_Div3/P/CIR/2022/085 dated June 24, 2022)</p> <p>SEBI vide its Circular dated January 15, 2019 lays down the process for payment for</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/introduction-of-unified-payments-interface-upi-mechanism-for-infrastructure-investment-trusts-invits_60072.html</p>

		<p>applications in public issue of units of Infrastructure Investment Trust (InvIT) through the facility of ASBA.</p> <p>SEBI vide this circular has provided an additional option to individual investors to apply in public issues of units of InvITs with a facility to block funds through Unified Payments Interface (UPI) mechanism for application value upto Rs. 5 Lac. The process flow for availing the option of blocking funds through UPI mechanism is placed at Annex I to this Circular.</p> <p>The provisions of this circular shall be applicable to a public issue of units of InvIT under the SEBI (Infrastructure Investment Trusts) Regulations, 2014 which opens on or after August 01, 2022.</p>	
		<p>3. Introduction of Unified Payments Interface (UPI) mechanism for Real Estate Investment Trusts (Circular No. SEBI/HO/DDHS/DDHS_Div3/P/CIR/2022/086 dated June 24, 2022)</p> <p>SEBI vide its Circular dated January 15, 2019 lays down the process for payment for applications in public issue of units of Real Estate Investment Trust (REIT) through the facility of ASBA.</p> <p>SEBI vide this circular has provided an additional option to individual investors to apply in public issues of units of REITs with a facility to block funds through Unified Payments Interface (UPI) mechanism for application value upto Rs. 5 Lac. The process flow for availing the option of blocking funds through UPI mechanism is placed at Annex I to this Circular.</p> <p>The provisions of this circular shall be applicable to a public issue of units of REIT under the SEBI (Real estate Investment</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/introduction-of-unified-payments-interface-upi-mechanism-for-real-estate-investment-trusts-reits-_60070.html</p>

		Trusts) Regulations, 2014 which opens on or after August 01, 2022.	
		<p>4. Modification in Cyber Security and Cyber resilience framework for Stock Brokers / Depository Participants (Circular No. SEBI/HO/MIRSD/TPD/P/CIR/2022/80 dated June 07, 2022)</p> <p>SEBI vide circular dated December 03, 2018 prescribed framework for Cyber Security and Cyber Resilience for Stock Brokers / Depository Participants. SEBI has modified the said circular dated December 03, 2018 and provided that Stock Brokers / Depository Participants shall identify and classify critical assets based on their sensitivity and criticality for business operations, services and data management. The critical assets shall include business critical systems, internet facing applications /systems, systems that contain sensitive data, sensitive personal data, sensitive financial data, Personally Identifiable Information (PII) data, etc. All the ancillary systems used for accessing/communicating with critical systems either for operations or maintenance shall also be classified as critical system. The Board/Partners/Proprietor of the Stock Brokers / Depository Participants shall approve the list of critical systems.</p> <p>To this end, Stock Brokers / Depository Participants shall maintain up-to-date inventory of its hardware and systems, software and information assets (internal and external), details of its network resources, connections to its network and data flows.</p> <p>Further, the Stock Brokers / Depository Participants are mandated to conduct comprehensive cyber audit at least once in a financial year. All Stock Brokers / Depository Participants shall submit with Stock Exchange/Depository a declaration from the MD/ CEO/ Partners/ Proprietors certifying</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/modification-in-cyber-security-and-cyber-resilience-framework-for-stock-brokers-depository-participants_59581.html</p>

		compliance by the Stock Brokers / Depository Participants with all SEBI Circulars and advisories related to Cyber security from time to time, along with the Cyber audit report.	
		<p>5. Investor Grievance Redressal Mechanism</p> <p>(Circular No. SEBI/HO/MIRSD/ DOS3/P/ CIR/2022/78 dated June 3, 2022)</p> <p>In order to further strengthen the Investor Grievance Redressal Mechanism and based on feedback received from market participants, SEBI has amended its Circular No. SEBI/HO/MIRSD/DOC/CIR/P/2020/226 dated November 6, 2020. Vide this circular it has been provided that for any dispute between the member and the client relating to or arising out of the transactions in Stock Exchange, which is of civil nature, the complainant/ member shall first refer the complaint to the IGRC and/ or to arbitration mechanism provided by the Stock Exchange before resorting to other remedies available under any other law. For the removal of doubts, it is clarified that the sole arbitrator or the panel of arbitrators, as the case may be, appointed under the Stock Exchange arbitration mechanism may consider any claim relating to any dispute between a stock broker and client arising out of the transactions in stock exchange, as per law, and shall always be deemed to have the competence to rule on its jurisdiction. A complainant/member, who is not satisfied with the recommendation of the IGRC shall avail the arbitration mechanism of the Stock Exchange for settlement of complaints within three months from the date of IGRC recommendation.</p> <p>Further, a complainant/member, who is not satisfied with the recommendation of the IGRC shall avail the arbitration mechanism of the Stock Exchange for settlement of</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/investor-redressal-grievance-mechanism_59521.html</p>

		complaints within three months from the date of IGRC recommendation.	
		<p>6. Processing of ASBA applications in Public Issue of Equity Shares and Convertibles (Circular No. SEBI/HO/CFD/ DIL2/P/ CIR/2022/75 dated May 30, 2022)</p> <p>SEBI has reviewed the processing of Application Supported by Blocked Amount (ASBA) applications in the Public Issues by market intermediaries and Self-Certified Syndicate Banks (SCSBs) as a part of the continuing efforts to further streamline the bidding process and to ensure the orderly development of securities market.</p> <p>SEBI vide this circular has provided that the ASBA applications in Public Issues shall be processed only after the application monies are blocked in the investor's bank accounts. Accordingly, all intermediaries / market infrastructure institutions are advised to ensure that appropriate systemic and procedural arrangements are made within three months from the date of issuance of this circular.</p> <p>Further provided that the Stock Exchanges shall accept the ASBA applications in their electronic book building platform only with a mandatory confirmation on the application monies blocked. The circular shall be applicable for all categories of investors viz. Retail, QIB, NII and other reserved categories and also for all modes through which the applications are processed and for public issues opening on or after September 01, 2022.</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/processing-of-asba-applications-in-public-issue-of-equity-shares-and-convertibles_59338.html</p>
		<p>7. System and Network Audit of Market Infrastructure Institutions (MIIs) (Circular No. SEBI/HO/MRD1/MRD1_DTCS/P/CIR/2022/58 dated May 02, 2022)</p> <p>Background</p> <p>Taking into account the rapid technological developments in the securities market and</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/system-and-network-audit-of-market-infrastructure-</p>

	<p>the entailing risks that these developments pose to the efficiency and integrity of markets, SEBI vide Circular no. SEBI/HO/MRD1/ICC1/CIR/P/2020/03 dated January 07, 2020, had mandated that stock exchanges, clearing corporations and depositories should conduct an Annual System Audit by a reputed independent auditor.</p> <p>Brief of the Circular</p> <p>In order to keep pace with the technological advancements in the securities market the existing System Audit Framework has been reviewed.</p> <p>It is provided that, the MIIs are required to conduct System and Network Audit as per the framework enclosed as Annexure 1 to this circular and Terms of Reference (TOR) enclosed as Annexure 2 to this circular. MIIs are also required to maintain a list of all the relevant SEBI circulars/ directions/ advices, etc. pertaining to technology and compliance thereof, as per format enclosed as Annexure 3 and the same shall be included under the scope of System and Network Audit.</p> <p>MIIs are also required to submit information with regard to exceptional major Non-Compliances (NCs)/ minor NCs observed in the System and Network audit as per format enclosed as Annexure 4 and are required to categorically highlight those observations/NCs/suggestions pointed out in the System and Network audit (current and previous) which remain open.</p> <p>The Systems and Network audit Report including compliance with SEBI circulars/ guidelines and exceptional observation format along with compliance status of previous year observations shall be placed before the Governing Board of the MII and then the report along with the comments of the Management of the MII shall be communicated to SEBI within a month of completion of audit.</p>	<p><i>institutions-miis-58624.html</i></p>
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Professional Programme

ADVANCED TAX LAWS

Module 1, Paper 2

<i>S.No.</i>	<i>Reference to Chapter No.</i>	<i>Amendments to Regulations/Rules/Act/ Circular/ Notification</i>	<i>Brief particulars/ Link of the amendment</i>
Indirect Taxes (Part I)			
1.	Lesson 10 GST Compensation to States	GST Compensation Cess has been extended upto 31st March 2026 (Notification No. 01/2022-Compensation Cess dated June 24, 2022) The government has extended the period during which the GST compensation cess may be levied till March 2026. The compensation cess will continue to be collected from July 1, 2022, to March 31, 2026, in accordance with the Goods and Services Tax (Period of Levy and Collection of Cess) Rules, 2022, which were announced by the finance ministry.	https://egazette.nic.in/WriteReadData/2022/236790.pdf
2.	Lesson 12 Basic Concepts of Customs Law	CBIC has issued the Customs Brokers Licensing (Amendment) Regulations 2022 (Notification No. 52/2022-Customs (N.T.) dated June 24, 2022) Each Customs Broker shall enroll himself as a member of the Customs Brokers' Association at every jurisdiction he operates, if there is such an Association registered in the Customs Station, where the Customs Broker is operating and recognised by the Principal Commissioner of Customs or Commissioner of Customs, as the case may be. No Customs Broker shall enroll himself in more than one Association, at a given time, in a particular jurisdiction.	https://egazette.nic.in/WriteReadData/2022/236792.pdf

SECRETARIAL AUDIT, COMPLIANCE MANAGEMENT AND DUE DILIGENCE

Module 2, Paper 4

Sr. No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the Amendment
1.	Lesson 2 Compliances	<p>1. The Companies (Share Capital and Debentures) Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its Notification dated May 04, 2022 has notified the companies (Share Capital and Debentures) Amendment Rules, 2022 which shall come into force on the date of its publication in the Official Gazette. According to the amendment in the annexure, in Form No. SH-4 (Securities Transfer Form), before the enclosures, the following declaration shall be inserted, namely:-</p> <ul style="list-style-type: none"> • Transferee is not required to obtain the Government approval under the Foreign Exchange management (Non-debt Instruments) Rules, 2019 prior to transfer of shares; or • Transferee is required to obtain the Government approval under the Foreign Exchange management (Non-debt Instruments) rules, 2019 prior to transfer of shares and the same has been obtained and is enclosed herewith.” <p>Impact:</p> <p>According to this amendment a declaration has to be made by the transferee prior to share transfers in Form No. SH-4 regarding whether he/she is required to obtain Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019. Earlier</p>	<p style="text-align: center;">1.</p> <p>https://www.mca.gov.in/bin/dms/getdocument?mds=z0TPPBoxhsbnobHAN7dyxw%253D%253D&type=open</p> <p style="text-align: center;">2.</p> <p>https://egazette.nic.in/WriteReadData/2022/235565.pdf</p> <p style="text-align: center;">3.</p> <p>https://www.sebi.gov.in/legal/circulars/may-2022/simplification-of-procedure-and-standardization-of-formats-of-documents-for-transmission-of-securities-pursuant-to-amendments-to-the-securities-and-exchange-board-of-india-listing-obligations-and-dis-_59123.html</p> <p style="text-align: center;">4.</p> <p>https://egazette.nic.in/WriteReadData/2022/236165.pdf</p> <p style="text-align: center;">5.</p> <p>https://egazette.nic.in/WriteReadData/2022/236112.pdf</p>

		<p>no such declaration was required to be made by the transferee.</p> <p>2. The Companies (Prospectus and Allotment of Securities) Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its Notification dated May 05, 2022 has notified the Companies (Prospectus and Allotment of Securities) Amendment Rules, 2022 which shall come into force on the date of its publication in the Official Gazette. The amendments inter alia provide that-</p> <p>i) Insertion of new proviso to Rule 14 of the Companies (Prospectus and Allotment of Securities) Rules, 2014 stating that no offer or invitation of any securities under rule 14 shall be made to a body corporate incorporated in, or a national of, a country which shares a land border with India, unless such body corporate or the national, as the case may be, have obtained Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 and attached the same with the private placement offer cum application letter.</p> <p>ii) in Annexure, in Form PAS-4, in Part-B, after serial number (vii), the following shall be inserted, namely :-</p> <p>“(viii) Tick whichever is applicable:-</p> <p>(a) The applicant is not required to obtain Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 prior to subscription of shares.- <input type="checkbox"/></p> <p>(b) The applicant is required to obtain Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 prior to subscription of shares and the same has been obtained, and is enclosed herewith.- <input type="checkbox"/></p>	
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		<p>Impact:</p> <p>Through this amendment the MCA has inserted a new proviso in rule 14 of Companies (Prospectus and Allotment of Securities) Rules, 2014 stating that no offer or invitation to securities shall be made to the nationals of or entities incorporated in a country sharing border with India until and unless they have obtained Government approval under the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 and attached the same with the private placement offer cum application letter and the relevant modification to be made in Form PAS-4.</p> <p>3. Simplification of procedure and standardization of formats of documents for transmission of securities</p> <p>SEBI has simplified the procedure and standardisation of formats of documents for transmission of securities. As an on-going measure to enhance ease of dealing in securities markets and with a view to make the transmission process more efficient and investor friendly, the procedure for transmission of securities has been further simplified.</p> <p>For ease of reference, a ready reckoner listing out the documents required for transmission of securities, in case of demise of the sole holder, has been provided. SEBI has also provided the Operational Guidelines for processing investor's service request for the purpose of transmission of securities.</p> <p>4. The Companies (Accounts) Third Amendment Rules, 2022</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated May 31, 2022 has notified the Companies (Accounts) Third Amendment Rules, 2022, which shall come into force on the date of its publication in the Official</p>	
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		<p>Gazette. According to the amendment under rule 12 of the Companies (Accounts) Rules 2014 below changes are mentioned:</p> <ul style="list-style-type: none"> • For financial year (2020-2021), Form CSR-2 shall be filed separately on or before 30 June 2022 after filing Form AOC-4 or AOC-4 XBRL or AOC-4 NBFC (Ind AS), as the case may be. • For the financial year (2021-2022), Form CSR-2 shall be filed separately on or before 31st March, 2023 after filing Form AOC-4 or AOC-4 XBRL or AOC-4 NBFC (Ind AS), as the case may be". <p>5. Companies (Compromises, Arrangements and Amalgamations) Amendment Rules, 2022</p> <p>In exercise of the powers conferred by sub-sections (1) and (2) of section 469 read with sections 230 to 240 of the Companies Act, 2013, the Central Government inter alia amended the Rule 25A of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016. According to the Amendment, in case of a compromise or an arrangement or merger or demerger between an Indian company and a company or body corporate which has been incorporated in a country which shares land border with India, a declaration in Form No. CAA-16 shall be required at the stage of submission of application under section 230 of the Act.</p>				
2.	Lesson 6 Signing and Certification	<p>The Chartered Accountants, the Cost Accountants and the Company Secretaries (Amendment) Act, 2022</p> <table border="1"> <tr> <td>Provisions</td> </tr> <tr> <td>Sections 1 to 15 (both inclusive)</td> </tr> <tr> <td>Section 16 [except clause (i)]</td> </tr> </table>	Provisions	Sections 1 to 15 (both inclusive)	Section 16 [except clause (i)]	<p>https://egazette.nic.in/WriteReadData/2022/235713.pdf</p>
Provisions						
Sections 1 to 15 (both inclusive)						
Section 16 [except clause (i)]						

		Sections 17 to 19 (both inclusive)	
		Section 24	
		Sections 28 to 35 (both inclusive)	
		Section 36 [except clause (i)]	
		Section 37 [except clause (i) & (ii)]	
		Sections 38 to 50 (both inclusive)	
		Section 51 [except clause (i)]	
		Sections 52 to 54 (both inclusive)	
		Sections 59	
		Sections 63 to 71 (both inclusive)	
		Sections 74 to 83 (both inclusive)	
		Section 84 [except clause (i)]	
		Sections 85 to 87 (both inclusive)	
		Sections 92, Section 96 to 104 (both inclusive)	
		<p>Impact:</p> <ul style="list-style-type: none"> • A new section 9A is inserted which states about constitution of Coordination Committee consisting of the President, Vice-President and the Secretary of the Council of each of the Institutes for the development and harmonization of all the three professions. The meeting shall be chaired by the Secretary, MCA which will be held once in every quarter of a year. • A new section 15B has been introduced to include the functions of the Institute. 	

<p>3.</p>	<p>Lesson 7 Segment-wise Role of Company Secretaries</p>	<p>Revised format of security cover certificate, monitoring and revision in timelines - SEBI (LODR) Regulation, 2015</p> <p>Based on the recommendation of the Working Group, SEBI has revised the security cover format and is enclosed at Annexure I to this circular. In terms of regulation 54 read with regulation 56(1)(d) of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015, listed entities are required to disclose security cover to Stock Exchange and Debenture Trustee, and the format for preparation of security cover for listed debt securities was prescribed as per Annexure A of SEBI circular dated November 12, 2020. The revised format has been prepared to provide a holistic picture of all the borrowings and the status of encumbrance on the assets of the listed entity. Further, SEBI has provided the manner of preparation of security cover certificate by listed entity and Debenture Trustees.</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/revised-format-of-security-cover-certificate-monitoring-and-revision-in-timelines_59051.html</p>
<p>4.</p>	<p>Lesson 8 Audits</p>	<p>System and Network Audit of Market Infrastructure Institutions (MIIs)</p> <p>SEBI vide this circular has provided that the Stock Exchanges, Clearing Corporations, Depositories (hereinafter referred as 'Market Infrastructure Institutions – MIIs) are required to submit information with regard to exceptional major Non-Compliances (NCs)/ minor NCs observed in the System and Network audit as per the prescribed format and are required to categorically highlight those observations/NCs/ suggestions pointed out in the System and Network audit (current and previous) which remain open. Further provided that the Systems and Network audit Report including compliance with SEBI circulars/ guidelines and exceptional observation format along with</p>	<p>https://www.sebi.gov.in/legal/circulars/may-2022/system-and-network-audit-of-market-infrastructure-institutions-miis_58624.html</p>

		compliance status of previous year observations shall be placed before the Governing Board of the MII and then the report along with the comments of the Management of the MII shall be communicated to SEBI within a month of completion of audit.	
5.	<p>Lesson 2 Compliance and</p> <p>Lesson 5 Know Your Customer (KYC)</p>	<p>The Companies (Appointment and Qualification of Directors) Amendment Rules, 2022 (June 01, 2022)</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated June 01, 2022 has notified the Companies (Appointment and Qualification of Directors) Amendment Rules, 2022 which shall come into force on the date of its publication in the Official Gazette. The amendments <i>inter-alia</i> provide that:</p> <p>i) In case the person seeking appointment is a national of a country which shares land border with India, necessary security clearance from the Ministry of Home Affairs shall also be attached along with the consent (Form DIR-2).(Insertion of proviso to Rule 8)</p> <p>ii) No application number shall be generated in case of the person applying for Director Identification Number (DIN) is a national of a country which shares land border with India, unless necessary security clearance from Ministry of Home Affairs has been attached along with application for DIN (Form DIR-3).{Insertion of proviso to Rule 10(1)}</p> <p>iii) In form DIR-12 a declaration is inserted to be opted by person seeking appointment as director as to whether the national of a country which shares land border with India has sought necessary security clearance from Ministry of Home Affairs or not.</p> <p>Impact:</p> <p>Through this amendment, MCA has introduced changes in its various forms relating to appointment of directors by</p>	<p>https://www.mca.gov.in/bin/dms/getdocument?mids=U4Pl6Cz4l3T9YHrD1ZOq2g%253D%253D&type=open</p>

		<p>aligning the forms with the Foreign Exchange Management (Non-Debt Instruments) Rules, 2019. As per the changes made, if the person seeking appointment is a national of a country which shares land border with India, necessary security clearance from the Ministry of Home Affairs shall also be attached along with the consent.</p> <p>Similarly, no application number shall be generated in case of the person applying for Director Identification Number (DIN) is a national of a country which shares land border with India, unless necessary security clearance from Ministry of Home Affairs has been attached along with application for DIN (Form DIR-3).</p> <p>In form DIR-12, a declaration is inserted which needs to be opted by person seeking appointment as director as to whether the national of a country which shares land border with India has sought necessary security clearance from Ministry of Home Affairs or not.</p>	
6.	<p>Lesson 11 Concepts and Principles of Other Audits</p>	<p>Modification in Cyber Security and Cyber resilience framework for Stock Brokers / Depository Participants</p> <p>SEBI vide circular dated 03 December 2018 prescribed framework for Cyber Security and Cyber Resilience for Stock Brokers / Depository Participants. SEBI has modified the Annexure 1 of SEBI circular dated December 03, 2018 and provided that all Cyber-attacks, threats, cyber-incidents and breaches experienced by Stock Brokers / Depositories Participants shall be reported to Stock Exchanges / Depositories & SEBI within 6 hours of noticing / detecting such incidents or being brought to notice about such incidents.</p>	<p>https://www.sebi.gov.in/legal/circulars/jun-2022/modification-in-cyber-security-and-cyber-resilience-framework-for-stock-brokers-depository-participants_59581.html</p>

RESOLUTION OF CORPORATE DISPUTES, NON-COMPLIANCES & REMEDIES

Module 2, Paper 6

S.No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the amendment
1.	Lesson 5 Regulatory Action	<p>CBDT notified amendment in Faceless penalty scheme, allowing mandatory personal hearing (Notification Dated May 27, 2022)</p> <p>The Central Board of Direct Taxes (CBDT) has notified the amendment in the faceless penalty scheme, allowing mandatory personal hearing through electronic mode to any taxpayer who has sought a hearing. The amendment has omitted the Regional Faceless Penalty Centre from the Faceless Penalty Scheme and provides that electronic records shall be authenticated by the National Faceless Penalty Centre and even hearing should be done via them and not regional faceless penalty centre.</p> <ul style="list-style-type: none"> The Faceless Penalty (Amendment) Scheme, 2022 provides that such hearing will be held exclusively through video conferencing or video telephony, including use of any telecommunication application software which supports video conferencing or video telephony. 	<p>https://egazette.nic.in/WriteReadData/2022/236054.pdf</p>

BANKING - LAW & PRACTICE

Elective Paper - Module 3, Paper 9.1

S. No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the Amendment
1.	Lesson 2 Regulatory Framework of Banks	<p>Liquidity Adjustment Facility- Change in rates (Notification no. RBI/2022-23/42 FMOD. MAOG. No. 144/ 01.01.001/ 2022-23 dated May 04, 2022)</p> <p>It has been decided by the Monetary Policy Committee (MPC) to increase the policy Repo rate under the Liquidity Adjustment Facility (LAF) by 40 basis points from 4.00 per cent to 4.40 per cent with immediate effect. Consequently, the Standing Deposit Facility (SDF) rate and Marginal Standing Facility (MSF) rate stand adjusted from 3.75 per cent to 4.15 per cent and from 4.25 per cent to 4.65 per cent respectively, with immediate effect.</p>	https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12309&Module=0
2.	Lesson 2 Regulatory Framework of Banks	<p>Maintenance of Cash Reserve Ratio (CRR) (Notification no. RBI/2022-23/46 DOR. RET. REC. 33 / 12.01.001/ 2022-23 dated May 04, 2022)</p> <p>It has been decided to increase the Cash Reserve Ratio (CRR) of all banks by 50 basis points from 4.00 percent to 4.50 percent of their Net Demand and Time Liabilities (NDTL), effective from the reporting fortnight beginning May 21, 2022.</p>	https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12313&Module=0

3.	Lesson 4 Regulation of Banking Business	Interoperable Card-less Cash Withdrawal (ICCW) at ATMs (Notification no. RBI/2022-23/54 CO.DPSS.POLC.No.S-227/02-10-002/ 2022-23 dated May 19, 2022) All banks, ATM networks and White Label ATM Operators (WLAOs) may provide the option of ICCW at their ATMs. NPCI has been advised to facilitate Unified Payments Interface (UPI) integration with all banks and ATM networks. While UPI would be used for customer authorisation in such transactions, settlement would be through the National Financial Switch (NFS) / ATM networks. The on-us / off-us ICCW transactions shall be processed without levy of any charges other than those prescribed under the circular on Interchange Fee and Customer Charges. Withdrawal limits for ICCW transactions shall be in-line with the limits for regular on-us / off-us ATM withdrawals. All other instructions related to Harmonisation of Turn Around Time (TAT) and customer compensation for failed transactions shall continue to be applicable.	https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12321&Mode=0
4.	Lesson 19 Final Accounts of Banking Companies	Reserve Bank of India (Financial Statements - Presentation and Disclosures) Directions, 2021 - Reporting of reverse repos with Reserve Bank on the bank's balance sheet (Notification no. RBI/2022-23/55 DOR.ACC.REC.No.37 / 21.04.018 / 2022-23 dated May 19, 2022) In order to bring more clarity on the presentation of reverse repo on the balance sheet, it has now been decided as under: <ol style="list-style-type: none"> a) All type of reverse repos with the Reserve Bank including those under Liquidity Adjustment Facility shall be presented under sub-item (ii) 'In Other Accounts' of item (II) 'Balances with Reserve Bank of India' under Schedule 6 	https://rbi.org.in/Scripts/NotificationUser.aspx?Id=12322&Mode=0

		<p>'Cash and balances with Reserve Bank of India'.</p> <p>b) Reverse repos with banks and other institutions having original tenors up to and inclusive of 14 days shall be classified under item (ii) 'Money at call and short notice' under Schedule 7 'Balances with banks and money at call and short notice'.</p> <p>c) Reverse repos with banks and other institutions having original tenors more than 14 days shall be classified under Schedule 9 - 'Advances' under the following heads:</p> <p>i. A.(ii) 'Cash credits, overdrafts and loans repayable on demand'</p> <p>ii. B.(i) 'Secured by tangible assets'</p> <p>iii. C.(I).(iii) Banks (iv) 'Others' (as the case may be)</p>	
5.	Lesson 12 Loans and Advances	<p>Housing Finance - Loans for repairs/additions/alterations - Enhancement of limits (Notification no. RBI/2022-23/56 DOR.CRE.REC.18 / 09.22.010/ 2022-23 dated May 24, 2022)</p> <p>The ceiling on loans to individuals for carrying out repairs/additions/alterations to their dwelling units was Rs.2 lakh in rural and semi-urban areas and Rs.5 lakh in urban areas. The ceiling on such loans is now revised to Rs.10 lakh in metropolitan centres (those centres with population of 10 lakh and above) and Rs.6 lakh in other centres.</p>	https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12323&Mode=0
6.	Lesson 12 Loans and Advances	<p>Individual Housing loans - Enhancement in limits (Notification no. RBI / 2022-23/68 DOR.CRE.REC. 42/09.22.010/2022-23 dated June 08, 2022)</p> <p>It has been decided to revise the limits on individual housing loans sanctioned by</p>	https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12336&Mode=0

		<p>urban co-operative banks to an individual borrower as under:</p> <table border="1"> <thead> <tr> <th>Category of the bank</th> <th>Existing Limit* (per individual borrower)</th> <th>Revised Limit* (per individual borrower)</th> </tr> </thead> <tbody> <tr> <td>(a) Tier-I UCBs</td> <td>₹30 lakh</td> <td>₹60 lakh</td> </tr> <tr> <td>(b) Tier-II UCBs</td> <td>₹70 lakh</td> <td>₹140 lakh</td> </tr> </tbody> </table> <p>*subject to prescribed prudential exposure limits</p>	Category of the bank	Existing Limit* (per individual borrower)	Revised Limit* (per individual borrower)	(a) Tier-I UCBs	₹30 lakh	₹60 lakh	(b) Tier-II UCBs	₹70 lakh	₹140 lakh	
Category of the bank	Existing Limit* (per individual borrower)	Revised Limit* (per individual borrower)										
(a) Tier-I UCBs	₹30 lakh	₹60 lakh										
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7.	<p>Lesson 4 Regulation of Banking Business</p>	<p>Processing of e-mandates for recurring transactions (Notification no. RBI/2022-23/73 CO.DPSS.POLC.No.S-518/02.14.003/2022-23 dated June 16, 2022)</p> <p>The e-mandate framework prescribed an Additional Factor of Authentication (AFA), inter alia, while processing the first transaction in case of e-mandates / standing instructions on cards, prepaid payment instruments and Unified Payments Interface. For subsequent transactions with transaction values up to ₹5,000/- (AFA limit), prescription of AFA was waived. On a review of implementation of the e-mandate framework and the protection available to customers, it has been decided to increase the aforesaid AFA limit from ₹5,000/- to ₹15,000/- per transaction.</p>	<p>https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12341&Mode=0</p>									

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